



April 6, 2007

ENGROSSED HOUSE BILL No. 1017

DIGEST OF HB 1017 (Updated April 5, 2007 9:47 am - DI 101)

Citations Affected: IC 13-11; IC 13-18.

Synopsis: Community and noncommunity water systems. Provides that for purposes of the safe drinking water law, a community water system is a public water system: (1) that serves at least 15 service connections used by year-round residents or regularly serves at least 25 year-round residents; and (2) in which all the service connections are located on the same parcel of real estate or all the components of the system are connected. Requires the department of environmental management (IDEM) to pay certain costs of well water testing incurred by a nontransient noncommunity water system operated by a nonprofit center for advocacy for abused and neglected children that does not provide overnight care on site. Sets forth procedures by which a specified nonprofit center may apply to IDEM for reimbursement for amounts paid by the center for well water testing.

Effective: July 1, 2007.

**Pelath, Wolkins, Dermody,
Dembowski**

(SENATE SPONSORS — HEINOLD, ARNOLD)

January 8, 2007, read first time and referred to Committee on Environmental Affairs.
February 1, 2007, reported — Do Pass.
February 6, 2007, read second time, amended, ordered engrossed.
February 7, 2007, engrossed. Read third time, passed. Yeas 99, nays 0.

SENATE ACTION

February 19, 2007, read first time and referred to Committee on Utilities and Regulatory Affairs.
April 5, 2007, amended, reported favorably — Do Pass.

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EH 1017—LS 6352/DI 52+



April 6, 2007

First Regular Session 115th General Assembly (2007)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2006 Regular Session of the General Assembly.

ENGROSSED HOUSE BILL No. 1017

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 13-11-2-35.5 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 35.5. "Community
3 water system", for purposes of IC 13-18-20.5, means a public water
4 system:

5 (1) that:

6 (A) serves at least fifteen (15) service connections used by
7 year-round residents; or

8 (B) regularly serves at least twenty-five (25) year-round
9 residents; **and**

10 (2) in which:

11 (A) **all the service connections are located on the same**
12 **parcel of real estate; or**

13 (B) **all the components of the system are connected.**

14 SECTION 2. IC 13-11-2-142.7 IS AMENDED TO READ AS
15 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 142.7. "Nontransient
16 noncommunity water system", for purposes of **IC 13-18-17 and**
17 IC 13-18-20.5, means a public water system that is not a community

EH 1017—LS 6352/DI 52+



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1 water system that regularly serves the same twenty-five (25) or more
2 persons at least six (6) months per year.

3 SECTION 3. IC 13-18-17-5.5 IS ADDED TO THE INDIANA
4 CODE AS A NEW SECTION TO READ AS FOLLOWS
5 [EFFECTIVE JULY 1, 2007]: **Sec. 5.5. (a) The department shall pay**
6 **the costs of well water testing if:**

7 (1) the testing is required by state law, federal law, or both;
8 and

9 (2) the costs are incurred:

10 (A) after June 30, 2007;

11 (B) by a nontransient noncommunity water system
12 operated by a nonprofit center for advocacy for abused
13 and neglected children that does not provide overnight
14 care on site; and

15 (C) for testing of water from a well operated by the entity
16 as part of the system.

17 (b) To receive payment from the department for the costs
18 described in subsection (a), an entity described in subsection
19 (a)(2)(B) shall do the following:

20 (1) Conduct or cause to be conducted the testing required by
21 state law, federal law, or both, by:

22 (A) submitting samples from the nontransient
23 noncommunity water system to the state department of
24 health for testing; and

25 (B) arranging for a private laboratory to perform any tests
26 not performed by the state department of health.

27 (2) Submit to the department a request for reimbursement of
28 the amount paid for the testing by the entity described in
29 subsection (a)(2)(B). A request under this subdivision must
30 include the following:

31 (A) The name or type of testing conducted.

32 (B) The date of the testing.

33 (C) The name of each laboratory conducting the testing.

34 (D) The cost of each test conducted.

35 (E) A paid invoice from each laboratory conducting the
36 testing, indicating:

37 (i) the amount paid by the entity described in subsection
38 (a)(2)(B); and

39 (ii) the date paid.

40 (F) The name of the facility served by the nontransient
41 noncommunity water system.

42 (c) The department shall establish any additional procedures

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1 necessary for an entity referred to in subsection (a)(2)(B) to apply
2 to the department for payments under subsection (a).

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Environmental Affairs, to which was referred House Bill 1017, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

DVORAK, Chair

Committee Vote: yeas 12, nays 0.

 HOUSE MOTION

Mr. Speaker: I move that House Bill 1017 be amended to read as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 13-11-2-35.5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 35.5. "Community water system", for purposes of IC 13-18-20.5, means a public water system:

(1) that:

(A) serves at least fifteen (15) service connections used by year-round residents; or

(B) regularly serves at least twenty-five (25) year-round residents; **and**

(2) **in which:**

(A) **all the service connections are located on the same parcel of real estate; or**

(B) **all the components of the system are connected."**

Renumber all SECTIONS consecutively.

(Reference is to HB 1017 as printed February 2, 2007.)

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SENATE MOTION

Madam President: I move that Senator Bowser be removed as second sponsor of Engrossed House Bill 1017 and that Senator Arnold be substituted therefor.

HEINOLD

 COMMITTEE REPORT

Madam President: The Senate Committee on Utilities and Regulatory Affairs, to which was referred House Bill No. 1017, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

Page 2, line 12, delete "entity that cares" and insert "**center for advocacy for**".

Page 2, line 13, delete "children;" and insert "**children that does not provide overnight care on site;**".

Page 2, delete lines 16 through 22, begin a new paragraph and insert:

"(b) To receive payment from the department for the costs described in subsection (a), an entity described in subsection (a)(2)(B) shall do the following:

(1) Conduct or cause to be conducted the testing required by state law, federal law, or both, by:

(A) submitting samples from the nontransient noncommunity water system to the state department of health for testing; and

(B) arranging for a private laboratory to perform any tests not performed by the state department of health.

(2) Submit to the department a request for reimbursement of the amount paid for the testing by the entity described in subsection (a)(2)(B). A request under this subdivision must include the following:

(A) The name or type of testing conducted.

(B) The date of the testing.

(C) The name of each laboratory conducting the testing.

(D) The cost of each test conducted.

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(E) A paid invoice from each laboratory conducting the testing, indicating:

- (i) the amount paid by the entity described in subsection (a)(2)(B); and
- (ii) the date paid.

(F) The name of the facility served by the nontransient noncommunity water system."

Page 2, line 23, delete "a procedure by which" and insert "**any additional procedures necessary for**".

Page 2, line 24, delete "may" and insert "**to**".

Page 2, line 25, delete "subsections (a) and (b)" and insert "**subsection (a).**".

Page 2, delete lines 26 through 29.

and when so amended that said bill do pass.

(Reference is to HB 1017 as reprinted February 7, 2007.)

HERSHMAN, Chairperson

Committee Vote: Yeas 11, Nays 0.

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